



Docket No.: 826.1452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ken HASHIMOTO

Serial No. 09/021,370

Group Art Unit: 2876

Confirmation No. 4361

Filed: February 10, 1998

Examiner: D. St. Cyr

For: SYSTEM AND METHOD FOR CHARGING USING DATA CARRIER

SECOND REQUEST FOR RETURN OF FORM PTO-1449

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement was filed on April 10, 2002. A copy of this Information Disclosure Statement is attached.

It is respectfully requested that the Examiner return a copy of the Form PTO-1449 which accompanies the Information Disclosure Statement, marked to indicate that the references listed therein have been considered by the Office.

It is noted for the record that return of the PTO-1449 was previously requested in a Communication filed March 12, 2004. However, the PTO-1449 has not yet been returned.

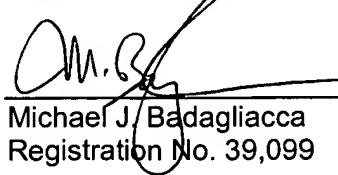
The Examiner is requested to telephone the undersigned should he/she have any questions concerning this Request.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 6-3-04

By:


Michael J. Badagliacca
Registration No. 39,099

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Please Date Stamp and return

IDS w/Form PTO-1449, copy of Japanese Office Action, 3 references *check for \$180.00 and attachment 1(e)*

APPLICANT(S): Ken HASHIMOTO
SERIAL NO: 09/021,370
CONFIRMATION NO. 4361
TITLE: SYSTEM AND METHOD FOR CHARGING USING DATA CARRIER
FILING DATE: February 10, 1998
DOCKET NO: 826.1452/MJB:rkc
DUE DATE: N/A



8



Attorney Docket No. 826.1452

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ken HASHIMOTO

Application No.: 09/021,370

Group Art Unit: 2876

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For: SYSTEM AND METHOD FOR CHARGING USING DATA CARRIER

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure provisions of 37 CFR § 1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

1. Enclosures accompanying this Information Disclosure Statement are:

- 1a. Form PTO-1449.
- 1b. Copies of IDS citations.
- 1c. An Office Action from a counterpart foreign application or a PCT International Search Report.
- 1d. English language translation (Abstract only) attached to each non-English language publication.
- 1e. Explanations of Relevancy of References (ATTACHMENT 1(e), hereto) for providing a concise explanation of each non-English publication.
- 1f. List of Copending Applications (ATTACHMENT 1(f), hereto).
- 1g. List of Additional Submitted Documents (ATTACHMENT 1(g), hereto).

2. This Information Disclosure Statement is filed under 37 CFR §1.97(b):

(Check either Item 2a or 2b or 2c or 2d)

- 2a. Within three months of the filing date of a national application other than a Continued Prosecution Application under § 1.53(d);
- 2b. Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application.
- 2c. Before the mailing of a first Office Action on the merits; or
- 2d. Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.

3. This Information Disclosure Statement is filed under 37 CFR § 1.97(c) after the period specified in paragraph 2 above but before the mailing date of any of a Final Office Action under § 1.113, a Notice of Allowance under § 1.311 or an action that otherwise closes prosecution in the application, AND

(Check either Item 3a or 3b; Item 3b to be checked if any reference known for more than 3 months)

3a. The §1.97(e) Statement in Item 5 below is applicable; OR
3b. The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
 enclosed.
 to be charged to Deposit Account No. 19-3935.

4. This Information Disclosure Statement is filed under 37 CFR §1.97(d) after the period specified in paragraph 3 above, but on or before payment of the Issue Fee, AND
4a. The § 1.97(e) Statement in Item 5 below is applicable; AND
4b. The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
 enclosed.
 to be charged to Deposit Account No. 19-3935.

5. Statement under § 1.97(e) (*applicable if Item 3a or Item 4 is checked*)
(Check either Item 5a or 5b)

5a. In accordance with 37 CFR § 1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
5b. In accordance with 37 CFR § 1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known by any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

6. This is a continuation/divisional/continuation-in-part application under 37 CFR § 1.53(b).

(Check appropriate Items 6a and/or 6b)

6a. Copies of the publications listed on the attached Form PTO-1449 which were previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, have been omitted pursuant to 37 CFR § 1.98(d).
6b. Copies of the publications listed on the attached Form PTO-1449 which were not previously cited in prior application Serial No. ___, filed on ___, and which is relied on for an earlier effective filing date for the subject application under 35 U.S.C. § 120, are provided herewith.

7. This is a continuation/divisional application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114.
(Check either Item 7a or 7b)

7a. The Issue Fee has not been paid.

7b. A Petition to Withdraw from issue under 37 CFR §1.313(c) is filed concurrently herewith or has been granted. A continuation application under 37 CFR § 1.53(d) or Request for Continued Examination under 37 CFR 1.114, after payment of the Issue Fee is proper in accordance with 37 CFR § 1.53(d)(1)(ii) or 37 CFR 1.114(a), respectively.

8. This is a Supplemental Information Disclosure Statement.
(Check either Item 8a or 8b)

8a. This Supplemental Information Disclosure Statement under 37 CFR § 1.97(f) supplements the Information Disclosure Statement filed on ___. A bona fide attempt was made to comply with 37 CFR § 1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental IDS can be considered as if properly filed on ___.

8b. This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR § 1.97 and 1.98, mailed ___. (MPEP 609 C(1), Form ¶ 6.49, Rev. 1, Feb. 2000, pp. 600-107)

9. In accordance with 37 CFR § 1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
(Check appropriate Items 9a, 9b, 9c and/or 9d)

9a. satisfied because all non-English language publications were cited on the enclosed copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office. (See U.S. Patent & Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68).)

9b. set forth in the application.

9c. satisfied because an English language translation (Abstract only) is attached to each non-English language publication.

9d. enclosed as Attachment 1(e), hereto.

10. No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted herewith). 37 CFR §§ 1.97(g) and (h).

11. The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR § 1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

By: 
Michael J. Badagliacca
Registration No. 39,099

Dated: 4-10-02
700 Eleventh Street, N.W., Suite 500
Washington, D.C. 20001
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Facsimile: (202) 434-1501



Sheet 1 of 1

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY DOCKET NO. 826.1452	APPLICATION NO. 09/021,370
FIRST NAMED INVENTOR Ken HASHIMOTO		
FILING DATE February 10, 1998		GROUP ART UNIT 2876
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>		

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO
	AG	5-334563	12/17/1993	Japan			Abstract only
	AH	8-22514	1/23/1996	Japan			Abstract only
	AI	8-115475	5/7/1996	Japan			Abstract only
	AJ						
	AK						
	AL						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

AM	
AN	

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

BEST AVAILABLE COPY**ATTACHMENT 1(e)****EXPLANATIONS OF RELEVANCY
OF REFERENCES**

ATTORNEY DOCKET NO.	APPLICATION NO.
826.1452	09/021,370
FIRST NAMED INVENTOR	
Ken HASHIMOTO	GROUP ART UNIT
FILING DATE	
February 10, 1998	2876

Inventor, Patent number, Country, Author, Title, Number of Document	Issue date	Concise Explanation of the Relevance (indication of page, column, line, figure of the relevant portion)
JP-A-8-115475	May 7, 1996	■ Abstract
JP-A-8-022514	Jan. 23, 1996	■ Abstract
JP-A-5-334563	Dec. 17, 1993	■ Abstract